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May 13, 2008

Via Fax - (914) 390-4085

Hon. Charles L. Brieant
United States District Court
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, NY 10601

RE: Reyes v. City of Newburgh
07 CV 6524 (CLB)
Our File No. 7969-0047

Applicator started. Discovery period is extended for an additional ninety (90) days. Mediation may be adjourned to a date agreed upon by the parties and the Mediator. The conference presently scheduled for June 6, 2008 is adjourned to September 19, 2008 at 9:00.

*So Ordered
May 13, 2008*

Charles L. Brieant

USDS

Dear Judge Brieant:

I am writing after consulting with, and on the consent of plaintiff's counsel, to request a 90 day extension and an additional 90 days to complete discovery in this matter. We have agreed to go to mediation and in fact the mediation is scheduled for May 14, 2008, but we have not been able to get a complete discovery so the parties can mediate in a meaningful way.

Both parties are still desirous of attempting to resolve this matter through mediation and need additional time to do so. The current scheduling order calls for all discovery to be complete by June 6, 2008 and it is respectfully requested that be extended 90 days until September 5, 2008. If Your Honor extends the discovery schedule, we will notify the mediation office and it has assured us that an adjourned date will be provided.

Respectfully yours,

McCABE & MACK LLP

David L. Posner

DAVID L. POSNER

DLP/dmf

cc: Helen Ullrich, Esq./Bergstein & Ullrich, LLP (Via Fax)